

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 WANDA COHILL,

5 Plaintiff,

6 v.

7 OCWEN LOAN SERVICE, LLC, DOES I
8 through X, inclusive, and ROE Corporations
9 XI through XX, inclusive,

10 Defendants.

Case No. 2:17-CV-02479-JCM-EJY

ORDER

11 Before the Court is the Motion to Place Scott Michael [sic] to Withdraw on Calendar for
12 Hearing (ECF No. 25) and the Stipulation and Order to Stay Discovery (ECF No. 26). Mr. Michael
13 failed to appear at the December 2, 2019 hearing set to consider his prior Motion to Withdraw and,
14 for that reason, his Motion was denied. The Stipulation to Stay Discovery is based on the now-
15 pending Motion to Withdraw and a pending Motion to Dismiss.

16 A request to stay discovery is far from automatic and only appropriate when there is no need
17 for further exploration of facts, and the issues before the Court in a motion are questions of law the
18 outcome of which are potentially dispositive. *Tradebay, LLC v eBay, Inc.*, 278 F.R.D. 597, 602 (D.
19 Nev. 2011). Here, the parties provide no basis for a stay of discovery other than a pending motion
20 to dismiss, which is an insufficient basis, on its own, to grant such a stay.

21 Accordingly,

22 IT IS HEREBY ORDERED that the Motion to Place Scott Michael [sic] to Withdraw on
23 Calendar (ECF No. 25) is GRANTED.

24 IT IS FURTHER ORDERED that the Stipulation and Order to Stay Discovery (ECF No. 26)
25 is GRANTED in part and DENIED in part. Discovery shall be stayed for the period commencing
26 with the date of this Order through January 7, 2020, providing Plaintiff a fair opportunity to retain
27 new counsel before considering Defendant's desire to stay discovery.
28

1 IT IS FURTHER ORDERED that the Stipulation to Stay Discovery beyond January 7, 2020
2 is DENIED without prejudice.

3 IT IS FURTHER ORDERED that Scott Michael shall mail a copy of this Order to Plaintiff
4 at her last known address within three business days of the date of this Order.

5 DATED: December 17, 2019

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7 
8 ELAYNA J. YOUCHAK
UNITED STATES MAGISTRATE JUDGE